



# FILL THE GAP

## Annual Report

### 2020



Court Services Division  
Administrative Office of the Courts  
Arizona Supreme Court

December 2020

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# ARIZONA SUPREME COURT

## FILL THE GAP

### ANNUAL REPORT

2020

## CRIMINAL CASE MANAGEMENT REENGINEERING

### INTRODUCTION

Pursuant to A.R.S. § 12-102.01 (D), the Supreme Court reports annually “to the governor, the legislature, each county board of supervisors, the joint legislative budget committee and the Arizona Criminal Justice Commission on the progress of criminal case processing projects and the enforcement of court orders, including the collection of court ordered fees, fines, penalties, assessments, sanctions and forfeitures.” Arizona Revised Statutes § 12-102.02 (D) also requires the Supreme Court to report annually on the expenditure of fund monies for the prior fiscal year and the progress made in improving criminal case processing.

Historically, federal, state and local governments made substantial investments in placing more police officers on the street and building more prisons. These efforts sought to increase public safety, but also created a backlog in the rest of the criminal justice system. In essence, funding targeted the front and back ends of the criminal justice system, creating a “gap” in the middle. Funding for these entities in the “gap” did not keep pace. The Fill the Gap initiative was intended to address this problem. The funding that resulted from this initiative continues to aid in the progress of accomplishing several improvements in criminal case processing throughout Arizona.

### CASE PROCESSING STANDARDS

Rule 8.2 of the Arizona Rules of Criminal Procedure establishes timelines for trying criminal cases as follows: 1) For in-custody defendants within 150 days from the date of arraignment; 2) For out-of-custody defendants within 180 days from the date of arraignment; 3) If the case is categorized as complex within 270 days from arraignment; and 4) For defendants charged with first-degree murder in which the state has filed an intent to seek the death penalty within 24 months from the notice date. This rule ensures the protection of defendant’s rights in individual cases.

The National Center for State Courts (NCSC) published the *Model Time Standards for State Trial Courts* in 2011. The Arizona Judicial Branch established the Steering Committee on Arizona Case Processing Standards through Administrative Order 2012-80. This committee was charged with “reviewing the national time standards for processing all major case types in limited and general jurisdiction courts and developing and recommending state case processing time standards for Arizona.” This committee has recommended, and the Supreme Court has adopted, case processing time standards for 21 case types, including felony cases,

DUI cases, and other non-DUI misdemeanor cases, as well as juvenile delinquency and status offenses.

## FUNDING SOURCES

Arizona Revised Statutes §41-2421, enacted in 1991, created three main funding sources for Fill the Gap efforts: a state general fund appropriation; a seven percent (7%) Fill the Gap surcharge, and a five percent (5%) set-aside of funds retained by local courts when revenues exceed the 1998 benchmark. It should be noted that counties with populations exceeding 500,000 (Maricopa and Pima) have not been eligible for general fund appropriations since fiscal year 2005 as directed by legislation. The general fund appropriation was later eliminated altogether in fiscal year 2009 as directed by legislation. The 7% surcharge earmarked for the courts is deposited in the State Aid to the Courts Fund and administered by the Administrative Office of the Courts (AOC) pursuant to A.R.S. § 12-102.02. The 5% set-aside funds are collected by the courts, kept locally, and approved by the Supreme Court for local court use.

In addition to the general fund appropriation being eliminated in fiscal year 2009, over half a million dollars were swept from this fund to assist with the state budget deficits between fiscal years 2009 and 2017. Maintaining staffing, and adequate resource levels continues to be a struggle for many courts due to lack of funding at all levels, making initiatives for improvement difficult to achieve.

## COUNTY PROJECT OVERVIEW

As defined by statute, the purpose of the State Aid to the Courts Fund is to provide state aid to the superior court, including the clerk of the superior court, and the justice courts in each county for the processing of criminal cases.

Within each county, the presiding judge of the superior courts, the clerk of the court and the presiding justice of the peace must develop a plan in coordination with the chairperson of the county board of supervisors or their designee which is submitted to the AOC. The proposed plan details how the funds will be used, how the plan will assist the county in improving criminal case processing, and specifically how each court entity will use the funds.

Counties may apply to use the funds for any purpose that improves criminal case processing. Solutions in each county are different due to varying factors such as funding, caseload size, staffing, geography, and interaction with local criminal justice agencies. Considering funding sweeps, some of the less populous counties previously chose to allow funds to build over time until a balance of funds was enough to implement meaningful projects. The following describes how counties used the Fill the Gap funds in fiscal year 2020.

## **APACHE COUNTY**

Fill the Gap funds allow the county courts to retain current staffing levels and provide staff with the necessary tools and training to effectively perform their duties. Apache County uses these monies to fund a portion of the costs associated with a part-time judge pro tempore, and ACAP device fees.

The Superior Court in Apache County continues to improve court processes with greater use of technology. Additional improvements to the audio/video system in the courtroom continue, including a new sound system and updated TV/video equipment. eFiling was made available in civil cases and is now available for other case types, improving the process of reviewing cases for judges during hearings. The use of video-conferencing has been added as a court tool and is being utilized as an alternative for in-person court hearings.

Data clean-up is also an ongoing project for the Clerk of the Court and the limited jurisdiction courts. The Superior Court and Clerk of the Court are working in conjunction to clean up data in the case management system, particularly for case status changes. In addition, a training manual for the limited jurisdiction courts to assist in the workflow process is in development.

Funding provided assistance with ACAP device fees. These computers are an essential tool for clerks and judges, and were utilized for electronic document management, access to online judicial resources, and electronic calendar management for criminal cases. With these tools, hearings can be scheduled from the bench, thereby reducing continuances.

APACHE COUNTY - FISCAL YEAR 2020	
Percent of criminal felony cases disposed of within 90 days	73%
Percent of criminal felony cases disposed of within 180 days	87%
Percent of criminal felony cases disposed of within 365 days	94%
Average (mean) number of days required to adjudicate all criminal felony cases	282

## **COCHISE COUNTY**

Cochise County Superior Court continues with its Early Resolution Court (ERC) and the Deferred Incarceration Sanction Program, both of which have significantly reduced the county's jail population.

Fill the Gap funding provided for a Superior Court judicial assistant, court reporter, and deputy clerk. Moreover, funding provided for a Pre-Sentence Report Writer as an essential component to the judicial process and produced multiple reports (138) to the court for misdemeanor and felony cases. Cochise County has six Justices of the Peace, with funds to be utilized for attendance at mandated training and conferences. Due to COVID-19 restrictions, many of these events were cancelled. The Justices of the Peace Pro Tempore have provided coverage for felony and misdemeanor initial appearances. In addition, the Justice of the Peace, precinct 5, continues to preside over Court Assisted Recovery Court.

The court continues to sponsor meetings between clerks and court staff to improve data quality with the goal of improving case management reporting and progress related to time standards.

COCHISE COUNTY - FISCAL YEAR 2020	
Percent of criminal felony cases disposed of within 90 days	52%
Percent of criminal felony cases disposed of within 180 days	77%
Percent of criminal felony cases disposed of within 365 days	94%
Average (mean) number of days required to adjudicate all criminal felony cases	129

## **COCONINO COUNTY**

Coconino County continues to use Fill the Gap funds to provide partial funding for its Recovery Court Program. This program has been successful in expediting felony cases processing and reducing the recidivism rate. Fill the Gap monies partially fund the Recovery Court's judge, coordinator, surveillance officers, and administrative support staff. Additionally, they fund training and travel, as well as other expenses such as treatment, urinalysis testing, and program incentives. In fiscal year 2020, the Recovery Court had 38 new participants. In this fiscal year, the average time to enter the program was shortened to an average of 83 days. A treatment component which provides a minimum of 192 hours of outpatient group and individual counseling continues to be an additional part of the Recovery Court. On average, 73% of the Recovery Court participants were employed or in school, with 95% of the graduates employed. Any alcohol and drug use were monitored through various modalities to deter use.

### **Page and Fredonia Justice Courts**

Fill the Gap funding aided with the Page/Fredonia DUI/Drug Court. This voluntary four-phase, twelve-month court-supervised substance abuse treatment program allowed citizens of Page and Fredonia to reside close to their communities and support systems which contributes to their success. Five new participants began the program and three participants graduated in fiscal year 2020.

### **Williams Justice Court**

Funding from Fill the Gap helped the Williams Justice Court to support the implementation of the Electronic Document Management System (EDMS). Funding of hardware assisted the court in streamlining and expediting the flow of cases, increasing efficiencies in criminal case processing, in addition to improving time management for these cases.

COCONINO COUNTY - FISCAL YEAR 2020	
Percent of criminal felony cases disposed of within 90 days	39%
Percent of criminal felony cases disposed of within 180 days	63%
Percent of criminal felony cases disposed of within 365 days	91%
Average (mean) number of days required to adjudicate all criminal felony cases	178

## **GILA COUNTY**

Utilizing funds provided by Fill the Gap, Gila County's local Scanning Program has entered its sixth year. This project allows all limited jurisdiction courts in the county to have scanning equipment. The improvement to business practices has facilitated criminal case processing by streamlining case management. Courts also report that digitization has reduced the time spent producing documents for requests from the public or agencies in addition to simplifying document retrieval. The number of staff trained in Disconnected Scanning for fiscal year 2020 was 21.

GILA COUNTY - FISCAL YEAR 2020	
Percent of criminal felony cases disposed of within 90 days	27%
Percent of criminal felony cases disposed of within 180 days	59%
Percent of criminal felony cases disposed of within 365 days	88%
Average (mean) number of days required to adjudicate all criminal felony cases	190

## **GRAHAM COUNTY**

The Superior Court in Graham County, through Fill the Gap funds, continues to support the costs of a judge pro tempore and a pre-trial services officer. The judge pro-tempore covers the juvenile, criminal case and other types of caseloads, which frees up the presiding judge to hear the bulk of the criminal caseload. The pre-trial services officer provided supervision and compliance throughout the 2020 fiscal year. In addition, the pre-trial services officer performed assessments with the PSA Court Tool, assisting in release decisions and allowing courts to place individuals on pre-trial services supervision much earlier at initial arraignments.

GRAHAM COUNTY - FISCAL YEAR 2020	
Percent of criminal felony cases disposed of within 90 days	58%
Percent of criminal felony cases disposed of within 180 days	87%
Percent of criminal felony cases disposed of within 365 days	98%
Average (mean) number of days required to adjudicate all criminal felony cases	154

## **LA PAZ COUNTY**

The Superior Court in La Paz County continues to use Fill the Gap funds for staff positions which aid in improving and expediting criminal case processing. These funds provide employment costs for a Chief Deputy Clerk, a courtroom clerk, a CASA Secretary, a pre-sentence investigative probation officer, a courtroom clerk, and IT professional services.

Chief Deputy Clerk – The Chief Deputy Clerk works with the Clerk of the Court to ensure quality data is entered and strategizes with the presiding judge for improved processes for case processing and assists with properly digitizing documents and ingesting them into the case management system.



Pre-Sentence Investigator - The pre-sentence investigator investigated and completed all pre-sentence reports as ordered by the Supreme Court. The La Paz County Adult Probation Department investigated and completed 242 pre-sentence reports. The department adhered to the local court standards to maintain the three-week duration from change of plea to judgement and sentence. Due to the challenges of COVID-19, the department was able to perform interviews remotely and filed reports electronically with the clerk.

CASA Secretary – The CASA Secretary assisted with duties related to day-to-day operation of the program and maintaining all CASA volunteers who advocate the best interests of abused and neglected children involved in the juvenile court system.

Judicial IT Support – The third-party IT vendor oversees all local IT needs for critical care and backup assistance. The Superior Court has completed the migration to the AOC-hosted OnBase document storage system. A strategic IT plan continues to move forward with courts continuing to improve their audio-visual systems.

Fill the Gap funds were also used for support and maintenance costs for the court's computer equipment.

LA PAZ COUNTY - FISCAL YEAR 2020	
Percent of criminal felony cases disposed of within 90 days	11%
Percent of criminal felony cases disposed of within 180 days	40%
Percent of criminal felony cases disposed of within 365 days	78%
Average (mean) number of days required to adjudicate all criminal felony cases	276

## **MARICOPA COUNTY**

Maricopa County uses Fill the Gap funds to support various personnel who aid in the maintenance of existing criminal case processing:

- The Superior Court received funding for 26 positions: 3 commissioners, 5 bailiffs, 3 judicial assistants, 13 judicial clerks, 3 judicial assistants, and 2 judicial clerk supervisors.
- The Clerk's Office received funding for 41 positions: 21 courtroom clerks, 2 courtroom service supervisors, and 18 justice system clerks

These positions performed mandated functions directly related to criminal case processing, covering various criminal calendars, recording court proceedings, transcribing notes, and recording and securing exhibits. Document management and clerical support positions provided staff resources for case filing, docketing, scanning, and related document management processes of criminal felony cases.

MARICOPA COUNTY - FISCAL YEAR 2020	
Percent of criminal felony cases disposed of within 90 days	42%
Percent of criminal felony cases disposed of within 180 days	68%
Percent of criminal felony cases disposed of within 365 days	87%
Average (mean) number of days required to adjudicate all criminal felony cases	218



## **MOHAVE COUNTY**

Mohave County uses Fill the gap funds for operating expenses and personnel to aid in improving and expediting criminal case processing. Three positions were supported with these monies: court commissioner, judicial assistant, and court security officer/bailiff.

Court Commissioner: This position has enabled the court to effectively manage criminal cases. The court was able to create a 4<sup>th</sup> criminal division with an equal ¼ distribution of the criminal case load. The new case assignment from 2019 of 33% for the commissioner was reduced to 25%. Since the emergency declaration in March of 2020 (COVID-19), the commissioner position was beneficial to swiftly work through any backlog in criminal cases and jury trials that was created.

Judicial Assistant: This position provided administrative and secretarial support to the court commissioner handling the daily processing and managing of a criminal caseload.

Court Security/Bailiff: This position allows flexibility in providing security coverage in satellite buildings where the security office provides additional security for court hearings.

The court continues to monitor case aging reports and provide recommendations to reduce the age of pending cases. New case filing reports are completed and reviewed in quarterly meetings focusing on streamlining policies. Because of the current COVID-19 situation, Mohave County has worked diligently with their IT Director to adopt strategies to make telephonic and video-conferencing appearances available to all court hearings. The number of criminal cases assigned to the commissioner funded by this grant in fiscal year 2020 was 516.

MOHAVE COUNTY - FISCAL YEAR 2020	
Percent of criminal felony cases disposed of within 90 days	24%
Percent of criminal felony cases disposed of within 180 days	56%
Percent of criminal felony cases disposed of within 365 days	85%
Average (mean) number of days required to adjudicate all criminal felony cases	231

## **NAVAJO COUNTY**

Navajo County continues to use Fill the Gap funds for various positions and services to assist in criminal case processing:

- Superior Court: caseload manager, field trainer, pro tempore judges, contract court reporter services.

The caseload manager and field trainer provided essential case management reports and training. Pro tempore judges presided over approximately 100 cases in fiscal year 2020, including conflict cases. In addition, many criminal calendars containing pre-trial conferences, preliminary hearings and arraignments were also covered by the Judge pro

tempore to move cases through the criminal process, thereby avoiding continuances due to any absence of the seated judge.

- Justice Court: deputy court administrator

The Deputy Court Administrator provided case management reports and training to judges monthly as requested (i.e. case aging, disposition rates, and time to disposition).

NAVAJO COUNTY - FISCAL YEAR 2020	
Percent of criminal felony cases disposed of within 90 days	46%
Percent of criminal felony cases disposed of within 180 days	64%
Percent of criminal felony cases disposed of within 365 days	88%
Average (mean) number of days required to adjudicate all criminal felony cases	102

## **PIMA COUNTY**

Pima County continues to improve criminal case processing with workflow management. To assist in these efforts, Fill the Gap funds are used for various positions and services.

Superior Court positions: judges pro tempore, pretrial case analysts, judicial administrative assistant, and a probation officer.

Clerk of Superior Court positions: unit supervisor, support specialist, programmer and a support clerk.

Various Justice Court positions:

- Pima County Consolidated Justice Court: adult probation officers, court call center litigation support, a Spanish Interpreter, and a judicial security officer
- Ajo Justice Court: A field trainer

Pima County has improved the following programs to enhance criminal case processing:

- The Pro Tempore Division of the Superior Court adjudicated and disposed of 612 cases and the partially funded Pro Tempore Division adjudicated and disposed of 673 cases in fiscal year 2020.
- The Pretrial Services Intake Unit of the Superior Court filed a report with the court within the specified guidelines in 99.5% of cases in fiscal year 2020.
- The Assessment Center of the Adult Probation Department produced an average of 146 presentence reports per office in fiscal year 2020.
- The Clerk of the Court continues to maintain the goal of processing criminal court documents in an accurate and timely manner. The Document Processing/Imaging Center processes criminal court documents within 3-4 hours of receipt and minute entries are distributed, docketed, and scanned on the day they are received. Over 50,425 criminal documents were processed and distributed in fiscal year 2020. The

non-attorney receipt of documents, minute entries, and notices continues to grow in relationship to the center's ability to process them with 37,399 documents distributed to non-attorney parties in fiscal year 2020.

- The Pima County Superior Court provides two full time probation officers to Pima County Consolidated Justice Court to conduct presentence investigations, prepare presentence reports, ensure defendant compliance with conditions of probation, prepare petitions to revoke, and issue arrest warrants when required. These officers are responsible for supervising defendants convicted of DUI, extreme DUI, and domestic violence charges, as well as those in the animal welfare specialty court. During fiscal year 2020, these officers supervised 162 cases.
- The Pima County Consolidated Justice Court continues to fund a full-time Spanish language interpreter. In fiscal year 2020, the interpreter provided Spanish interpretation in 1,056 court events and 220 document translations. In addition, this position has been responsible for obtaining and coordinating interpreter services for American Sign Language (ASL) and languages other than Spanish. As a dedicated resource for scheduling cases and obtaining outside interpreting services, the court has been able to improve the quality and consistency of translation services, thereby reducing delays in criminal case processing.
- Judicial Security Officer – Pima County Consolidated Justice Court, with the funds utilized through the Fill the Gap, was able to staff a dedicated security officer for the courtrooms for domestic violence, DUI, and other cases with greater potential for security incidents. During fiscal year 2020, the dedicated security officer enabled Judicial Security to respond to 1,281 requests for escorts, detain 26 individuals, respond to 4 separate medical emergencies, and check in 195 firearms.
- Court Call Center Litigation Support – Funds utilized through Fill the Gap were used to maintain prompt responses to call volume by adding Court Call Center staff. A change to the FARE collection program was mandated in February 2019, thus spearheading training of the call center staff for differentiating between the two types of cases: legacy and enhanced. Because of the COVID-19 situation, the only manner of communicating with court customers was through a telephone while other technology was being explored. The Court Call Center reported an abandonment increase of 11.67% with an average wait time just under 5 minutes and an average of 549 inbound calls per day.
- The field trainer provided ongoing case management and procedural support. The field trainer continues to support new employees and works with existing staff experiencing technology problems and product enhancements.
- Green Valley Justice Court – Fill the Gap funding provided Green Valley Justice Court with:
  - Judge pro tempore services while the judge was out for training;

- Twice-a-Day Initial Appearance (2XIA) – Together with Ajo Justice Court, Fill the Gap funding helped to meet the courts' financial obligations for participating in this program which provides twice-daily initial appearance capabilities for all courts located within Pima County to continue to meet statutory mandates in a cost-effective manner;
  - Centralized Bail Bond Acceptance Program – This program allows the Clerk of Superior Court in Pima County to collect appearance bonds (bail bonds) on behalf of the courts in Pima County.
- Ajo Justice Court – Funding provided support and maintenance for computer equipment and the case management system.

PIMA COUNTY - FISCAL YEAR 2020	
Percent of criminal felony cases disposed of within 90 days	21%
Percent of criminal felony cases disposed of within 180 days	62%
Percent of criminal felony cases disposed of within 365 days	89%
Average (mean) number of days required to adjudicate all criminal felony cases	198

## **PINAL COUNTY**

Pinal County uses Fill the Gap funds for various personnel expenses to aid in improving criminal case processing as the population continues to grow.

Superior Court: 2 full-time judges, 2 judicial assistants, and 1 bailiff.

The Early Disposition court continues its mission of quickly disposing of cases that can be identified as involving non-complex resolutions, which supports increased case filing, increases in case termination, and reduces time to disposition in Pinal County's caseload management outcomes.

To assist with criminal case processing in keeping the court open during the COVID 19 pandemic, Pinal County has established safety protocols to include: social distancing policies and practices, added temperature checks for staff and visitors, the use of personal protective equipment, and the installation of plexiglass barriers.

PINAL COUNTY - FISCAL YEAR 2020	
Percent of criminal felony cases disposed of within 90 days	50%
Percent of criminal felony cases disposed of within 180 days	73%
Percent of criminal felony cases disposed of within 365 days	92%
Average (mean) number of days required to adjudicate all criminal felony cases	146

## **SANTA CRUZ COUNTY**

Fill the Gap funding was used to support the salary of a part-time deputy clerk, purchase equipment utilized to assist in criminal trials, pay for costs related to staff interpreter expenses, and fund pretrial monitoring services in Santa Cruz County.

The part-time deputy clerk funded by this grant has enabled the court to process all criminal files in a timely manner. This position assists with criminal matters in three local Superior Court divisions, as well as with visiting judges assigned to San Cruz County. The deputy clerk conducted research for criminal files, prepared and scanned all files into the EDMS, creating electronic images, and assisted in the implementation of the e-Filing, case management and OnBase systems upgrades.

Fill the Gap funding was applied to cover the costs of credentialing exams for a staff interpreter. In addition, some equipment was purchased for the interpreters which improved upon the quality of the services the court provides. Qualified, competent interpreters are necessary for the timely disposition of cases involving limited-English-proficient (LEP) parties.

Santa Cruz County utilized Fill the Gap funds to purchase equipment for improvements to the courtrooms (audio and video recording equipment, trial management software and laptops), to assist in criminal trials.

Funds were also used for continuing a pretrial monitoring service. Staff conducted 138 public safety assessments in fiscal year 2020. Eighty-two percent of defendants released under pretrial supervision attended all their scheduled court hearings, and eighty-two percent of defendants did not have a warrant issued for their arrest while under pretrial supervision.

SANTA CRUZ COUNTY - FISCAL YEAR 2020	
Percent of criminal felony cases disposed of within 90 days	34%
Percent of criminal felony cases disposed of within 180 days	74%
Percent of criminal felony cases disposed of within 365 days	96%
Average (mean) number of days required to adjudicate all criminal felony cases	147

## **YAVAPAI COUNTY**

The Superior Court in Yavapai County continues to use Fill the Gap funds to supplement the personnel costs of judges pro tempore and an IT program manager.

Fill the Gap funds allow the Superior Court to function at full capacity in both judge pro tempore divisions. Funding assisted with operating expenses related to training programs for the court's leadership to address the effective management of criminal cases.

The Judge Pro tempore A was assigned 100% of the non-IV-D Domestic Relation cases and Orders of Protection for the Verde Valley judicial district and handled 100% of the civil cases including injunctions and probate cases. The Judge Pro Tempore B covered criminal Early Disposition Court for Verde Valley and began temporary assignment of Criminal Rule 11 cases, providing capacity for criminal cases to be assigned to other divisions. In addition, the seasonal Judge Pro Tempores covered the Early Disposition Court in Prescott, as well as the overflow of probate cases.

In addition, funding was provided for the IT Program Manager. This position provides invaluable assistance by supporting, managing, coordinating and implementing technology projects. Projects included: coordinating audiovisual renovation in courtrooms; supporting users of the case management system; assisting with upgrades and troubleshooting issues; backups for all justice courts within the county. Many ongoing projects were also funded, including: research and implementation efforts for courthouse security, maintaining the court website. Funding assisted with creating a COJET tracking website and creating automated exports with Prescott Consolidated Court to get their court calendar online.

YAVAPAI COUNTY - FISCAL YEAR 2020	
Percent of criminal felony cases disposed of within 90 days	69%
Percent of criminal felony cases disposed of within 180 days	80%
Percent of criminal felony cases disposed of within 365 days	92%
Average (mean) number of days required to adjudicate all criminal felony cases	194

## **YUMA COUNTY**

The focus in Yuma County remains on collecting and analyzing criminal case data to aid in expediting and improving the management of criminal case processing. Fill the Gap funds continue to support various personnel whose primary responsibilities support this mission:

- Superior Court: superior court judge and caseload manager
- Clerk of Court: courtroom clerk and data integrity specialist

Yuma County achieved a case clearance rate of 158% for fiscal year 2020, demonstrating a 36% improvement over fiscal year 2019. Yuma County continues to perform substantial, ongoing case cleanup and identification of problem areas to improve compliance with time standards.

YUMA COUNTY - FISCAL YEAR 2020	
Percent of criminal felony cases disposed of within 90 days	35%
Percent of criminal felony cases disposed of within 180 days	71%
Percent of criminal felony cases disposed of within 365 days	96%
Average (mean) number of days required to adjudicate all criminal felony cases	148

## **COLLECTIONS EFFORTS**

The Fines/Fees and Restitution Enforcement (FARE) Program is a successful statewide initiative of the Arizona Judicial Branch developed in 2003 to assist local courts with enhancing the enforcement of monetary court orders. The program is a public/private partnership between the Administrative Office of the Courts, a private collections vendor, local courts, the Arizona Motor Vehicle Division, and the Arizona Department of Revenue.

Collection services performed by the vendor include: reminder and collection notices, electronic skip tracing, interactive voice response line (IVR), web-based payments, collection

calls performed by multiple subcontracted vendors and referrals to the Motor Vehicle Division's Traffic Ticket Enforcement Assistance Program (TTEAP). The TTEAP enforcement tool prevents defendants with outstanding court obligations from re-registering their vehicle(s) until all court financial obligations are satisfied.

The Debt Setoff Program is an additional component of the FARE Program which permits state tax refund interceptions on delinquent cases. Recently, a new Administrative Order (2019-78) established a \$9 fee paid by the litigant on each interception for agencies/courts that do not participate in FARE. This additional fee took effect during the 2020 tax season.

The FARE Program resulted in the recovery of \$65.1 million dollars in fiscal year 2020, which was the result of \$47.6 million dollars collected via vendor services and \$17.4 million in state tax refund interceptions. Other notable achievements include: \$28.7 million dollars accepted via the payment website and IVR line, 187,061 new case submissions, 66,787 vehicle registration holds and 64,817 registration releases.

The Online Citation Program (OLCP) provides litigants access to pay pre-and-post disposition cases online using the FARE payment portal located at [www.azcourtpay.com](http://www.azcourtpay.com). OLCP is implemented and utilized by all limited jurisdiction courts using the AJACS case management system. To date, 134 courts are using OLCP and 88,367 payments have been processed resulting in \$10,061,754 received on the payment portal.

Effective July 1, 2018, the FARE fees changed as reflected in Arizona Code of Judicial Administration (ACJA) §5-205: Collections. The FARE Delinquency Fee is \$49, and the FARE Special Collections Fee is 19.5%. The addition of the Special Collection fee has also been delayed until 15 days after the second notice is mailed.

The FARE Compliance Assistance Program (FARE CAP) had its first full year of operation in fiscal year 2020. This new program enhancement was the result of the suggestions from the Fair Justice Task Force and input from Arizona court leaders. FARE CAP provides an opportunity for litigants with delinquent cases in FARE to re-engage with the court, discuss eligibility and other payment arrangements after making a \$150 initial payment. In fiscal year 2020, FARE CAPs were implemented in 23 courts. There were 7,052 cases entered into the program and 2,538 completed the program (fully paid their fines and fees). \$2,359,399 was collected in receipts from FARE CAP cases.

In March 2020, the FARE Program launched statewide the Offsite Cash Program (OCP) which allows customers who prefer making cash payments in a secure and convenient method for paying court financial obligations without visiting the court. The FARE Program vendor; contracted with PayNearMe® to provide this service for Arizona courts. The PayNearMe® service is available for eligible customers to make cash payments at retailers including 7-11®, CVS®, and Family Dollar®. There are hundreds of participating stores in Arizona and over 25,000 locations nationwide. Since implementation, 111 courts have received payments amounting to \$261,226. There have been 1,744 payments in total and the average payment amount is \$150. Approximately 5-10% of payments are made at locations outside of Arizona.



## **CONCLUSION**

Participating local courts and the AOC administer and enhance programs that aid courts with implementing long term solutions to improve criminal case processing and the enforcement of court orders. In fiscal year 2020, Fill the Gap funding provided resources to advance technology and streamline case processing.

Collecting and analyzing criminal case data has proven to be effective with early case management and to expedite workflow. Technology has been a key to improving the courts' access to more user-friendly data for all aspects of criminal case processing, including early case dispositions. The forgoing work by the Arizona courts reflects a concerted effort to achieve swift, fair justice through Arizona's justice system.

Timely criminal case disposition is critical to public safety, protection of victims' rights, restitution collection and addressing systemic issues such as jail overcrowding. Fill the Gap funds assist the courts and justice agencies with delivering best practices in these critical areas.